

ANNEXATION ORDINANCE NO. X-

87-91

AN ORDINANCE annexing certain territory commonly known as the Blackhawk Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of the South Half of Section 27, the Southeast Quarter of Section 28, the Northeast Quarter of Section 33 and the North Half of Section 34, all in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the East line of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, with the Southerly right-of-way line of East State Boulevard (Hicksville Road) this point being on the existing City Limits line as established by Annexation Ordinance X-36-71 and as filed in the Office of the City Clerk of Fort Wayne, Indiana; thence north along said East line of said Northwest Quarter to the northerly right-of-way line of East State Boulevard, thence Southwesterly along the Northerly right-of-way line of East State Boulevard, said line also being the current City Limits as established by Annexation Ordinance X-39-71, to its intersection with the West right-of-way line of Maplecrest Road; thence Northerly along said West right-of-way line to its intersection with the South right-of-way line of Trier Road; thence Easterly along the South right-of-way line of Trier Road to its intersection with the West right-of-way line of Lahmeyer Road; thence Southerly along the West right-of-way line of Lahmeyer Road to its intersection with the South right-of-way line of East State Boulevard; thence Westerly along the South right-of-way line of East State Boulevard to the point of beginning, containing 303 acres more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed

territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

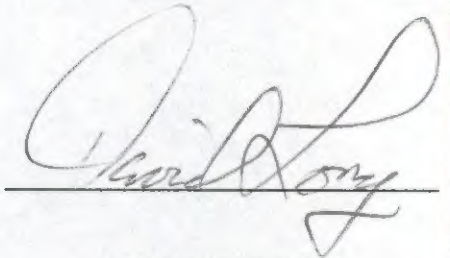
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1992. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1992, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

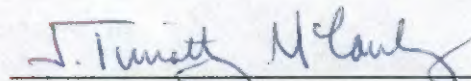
SECTION 6. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 25 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program

shall be in effect for the first taxable year after December 31,
1992, and shall expire if the area is not part of the City on
January 1, 1993.



COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY


J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Long
seconded by Redd, and duly adopted, read the second time
title and referred to the Committee on Annexation (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building
Fort Wayne, Indiana, on _____, 19____, the
of _____, at _____ o'clock _____ M., E.S.

DATED: 10-22-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long
seconded by Long, and duly adopted, placed on its
passage. PASSED YES by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-26-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. X-07-91
on the 26th day of December, 1991.

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 27th day of December, 1991
at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 3rd day of January
1992, at the hour of 11:40 o'clock A. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. X-91-10-31

REPORT OF THE COMMITTEE ON ANNEXATION

DAVID C. LONG, CHAIRMAN
JANET G. BRADBURY, VICE CHAIRPERSON
HENRY, EDMONDS, REDD

Annexation
WE, YOUR COMMITTEE ON _____ TO WHOM WAS
REFERRED AN (ORDINANCE) ^{XXXXXXXXXX} (RESOLUTION) annexing certain territory
commonly known as Blackhawk Annexation Area to Fort Wayne and
including the same in Councilmanic District #2

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

David C. Long

Janet G. Bradbury

Henry Edmonds

Redd

DATED: *12-19-91*

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE



Paul Helmke
Mayor

TO: City Council Members

FROM: Michael A. Sapp, Director of Planning *M.A.S.*

SUBJECT: Blackhawk Annexation

DATE: December 17, 1991

Attached is the Fiscal Plan for the Blackhawk Annexation. This annexation area contains approximately 303 acres of which 196 acres are developed residentially. The remaining acreage includes a mix of rights-of-way, institutional, commercial, recreational, and vacant land. Approximately 2,290 persons reside in the area to be annexed.

The first attempt to annex the Blackhawk area began in 1979, when City Council adopted Annexation Ordinance X-04-79 which included among other subdivisions, the Blackhawk neighborhood. Property owners affected by the annexation filed a remonstrance. During the next ten years the City attempted to negotiate a settlement agreement with the residents, making little progress. As a result, the City repealed the original ordinance, changed its strategy, and has been attempting to incrementally annex the areas in the original ordinance. The City is proposing to defer the effective date of annexation to December 31, 1992, and is offering a 25 percent abatement of the city portion of property taxes in 1994, the first year city property taxes would be due.

On September 1, 1991, the City sent a letter to property owners in the Blackhawk area notifying them of the City's intention to annex the area. City planners offered to meet with any residents in the area to discuss the annexation and answer any pertinent questions. On November 1, 1991, the planning staff again contacted property owners in the area giving notification of the Plan Commission's Public Hearing and once again extended an invitation to meet with area property owners. As of this date, numerous phone calls have been received by staff members inquiring about the particulars of the annexation, however, no one has asked for staff members to meet with area residents.

An Equal Opportunity Employer
One Main Street, Fort Wayne, Indiana 46802



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

January 7, 1992

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of
January 10 and January 17, 1992, in both the News
Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN


Bill No. X-91-10-31
Annexation Ordinance No. X-07-91

Blackhawk Annexation

Please send 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,


Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 26th day of
December, 19 91, the Common Council of the City
of Fort Wayne, Indiana, in a Special Session did pass
the following Bill No. X-91-10-31 Annexation
Ordinance No. X-07-91 to-wit:

Bill No. X-91-10-31

ANNEXATION ORDINANCE NO. X- 07-91

AN ORDINANCE annexing certain territory
commonly known as the Blackhawk Annexation
Area to Fort Wayne and including the same in
Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the following described territory be and
the same is hereby annexed to, and made a part of, the
corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of the South Half of Section 27, the Southeast
Quarter of Section 28, the Northeast Quarter of Section 33 and
the North Half of Section 34, all in Township 31 North, Range 13
East, Allen County, Indiana, more particularly described as
follows:

Beginning at the intersection of the East line of the
Northwest Quarter of Section 34, Township 31 North, Range 13
East, with the Southerly right-of-way line of East State
Boulevard (Hicksville Road) this point being on the existing
City Limits line as established by Annexation Ordinance X-36-71
and as filed in the Office of the City Clerk of Fort Wayne,
Indiana; thence north along said East line of said Northwest
Quarter to the northerly right-of-way line of East State
Boulevard, thence Southwesterly along the Northerly right-of-way
line of East State Boulevard, said line also being the current
City Limits as established by Annexation Ordinance X-39-71, to
its intersection with the West right-of-way line of Maplecrest
Road; thence Northerly along said West right-of-way line to its
intersection with the South right-of-way line of Trier Road;
thence Easterly along the South right-of-way line of Trier Road
to its intersection with the West right-of-way line of Lahmeyer
Road; thence Southerly along the West right-of-way line of
Lahmeyer Road to its intersection with the South right-of-way
line of East State Boulevard; thence Westerly along the South
right-of-way line of East State Boulevard to the point of
beginning, containing 303 acres more or less.

SECTION 2. That the City of Fort Wayne will furnish the
above described territory within a period of one (1) year from
the effective date of annexation, planned services of a non-
capital nature, including police protection, fire protection,
and street and road maintenance, in a manner which is equivalent
in standard and scope to those non-capital services provided to
areas within the City of Fort Wayne which have similar
topography, patterns of land utilization and population density
to the said described territory. The City of Fort Wayne will
also provide services of a capital improvement nature, including

1 territory within three (3) years of the effective date of
2 annexation, in the same manner as such services are provided to
3 areas already in the City of Fort Wayne with similar topography,
4 patterns of land utilization and population density, and in a
5 manner consistent with federal, state and local laws, procedures
6 and planning criteria.

7 SECTION 3. That governmental and proprietary services will
8 be provided to the above described territory in a manner
9 consistent with the written Fiscal Plan for the territory
10 developed by the Division of Community and Economic Development.
11 Said Plan was examined by the Common Council of the City of Fort
12 Wayne and is approved and adopted by the Common Council by and
13 upon the passage of this Ordinance. Two copies of said plan are
14 on file in the office of the Clerk of the City of Fort Wayne and
15 are available for inspection as required by law.

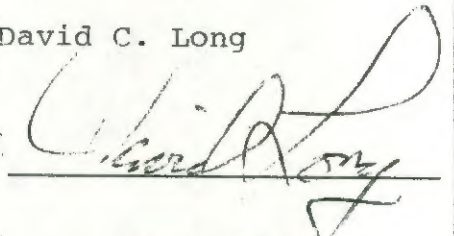
16 SECTION 4. That said described territory shall be
17 temporarily assigned to Councilmanic Political Ward No. 2 of the
18 City of Fort Wayne, Indiana, as described in Division I, Section
19 2-9 of Chapter 2 of the Municipal Code of the City of Fort
20 Wayne, Indiana of 1974, as amended. This assignment is subject
21 to redistricting pursuant to I. C. 36-4-6-3 (g).

22 SECTION 5. That, after adoption and any and all necessary
23 approval by the Mayor, this Ordinance shall be published as
24 provided for in I. C. 36-4-3-7. The above mentioned territory
25 shall become part of the City of Fort Wayne on December 31,
26 1992. In the event of litigation challenging the ordinance, the
27 territory shall become part of the City on the earlier of either
28 December 31, 1992, or the first 28th day of February following
29 any final judicial decisions resolving any legal challenge to
30 the ordinance in favor of the City.

31 SECTION 6. In the event no sufficient remonstrance is
32 filed, individuals owning property in the annexation area shall
be entitled to a 25 percent abatement of a portion of their
property tax liability under I.C. 6-1.1 for municipal purposes
as provided for by I.C. 36-4-3-8.5. Said tax abatement program

1 shall be in effect for the first taxable year after December 31,
2 1992, and shall expire if the area is not part of the City on
3 January 1, 1993.
4

5 David C. Long

6 
7

8 COUNCILMEMBER
9

Read the third time in full and on motion by Long, seconded by Henry,
and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Edmonds, GiaQuinta, Henry,
Long, Redd, Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATED: 12-26-91

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as Annexation Ordinance No. X-07-91 on the 26th day of December,
1991.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 27th day of December, 1991, at the hour of 1:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 3rd day of January, 1992, at the hour of
11:40 o'clock A.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of
Annexation Ordinance No. X-07-91,
passed by the Common Council on the 26th day of
December, 1991, and that said Ordinance was
duly signed and approved by the Mayor on the 3rd day of
January, 1992, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 3rd day of January, 1992.

SEAL


SANDRA E. KENNEDY, CITY CLERK

FW COMMON COUNCIL
(Governmental Unit)

To: The Journal-Gazette
P.O. Box 100
Fort Wayne, IN
Dr.

ALLEN County, Indiana

PUBLISHER'S CLAIM

LEGAL NOTICE

Notice is hereby given that on the 26th day December, 1991, the Common Council of the City of Fort Wayne, Indiana, in a Special Session did pass the following Bill No. X-91-10-31 Annexation Ordinance No. X-07-91 to-wit:

Bill No. X-91-10-31
ANNEXATION ORDINANCE NO. X-07-91
AN ORDINANCE annexing certain territory commonly known as the Blackhawk Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of the South Half of Section 27, the Southeast Quarter of Section 28, the Northeast Quarter of Section 33 and the North Half of Section 34, all in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the East line of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, with the Southerly right-of-way line of East State Boulevard (Hicksville Road) this point on the existing City Limits line as established by Annexation Ordinance X-36-71 and as filed in the Office of the City Clerk of Fort Wayne, Indiana; thence north along said East line of said Northwest Quarter to the northerly right-of-way line of East State Boulevard, thence Southwesterly along the Northerly right-of-way line of East State Boulevard, said line also being the current City Limits as established by Annexation X-36-71 to its intersection with the West right-of-way

line of Maplecrest Road; thence Northerly along said West right-of-way line to its intersection with the South right-of-way line of Trier Road; thence Easterly along the South right-of-way line of Trier Road to its intersection with the West right-of-way line of Lahmeyer Road; thence Southerly along the West right-of-way line of Lahmeyer Road to its intersection with the South right-of-way line of East State Boulevard; thence Westerly along the South right-of-way line of East State Boulevard to the point of beginning, containing 303 acres more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. The assignment is subject to redistricting pursuant to I.C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I.C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1992. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1992, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

SECTION 6. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 25 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the first taxable year after December 31, 1992, and shall expire if the area is not part of the City on January 1, 1993.

David C. Long
COUNCILMEMBER
Read the third time in full and on motion by Long, seconded by Henry, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Edmonds, GiaQuinta, Henry, Long, Redd, Schmidt, Talarico
NAYS: None
ABSENT: None

Sandra E. Kennedy
City Clerk

DATED: 12-26-91
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-91 on the 26th day of December, 1991.

ATTEST:
Samual J. Talarico
Presiding Officer

Sandra E. Kennedy
City Clerk

Presented to me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1991, at the hour of 1:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

X-07-91, passed by the Common Council on the 26th day of December, 1991, and that said Ordinance was

duly signed and approved by the Mayor on the 3rd day of January, 1992, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 3rd day of January, 1992

SANDRA E. KENNEDY, CITY CLERK

1-10-17

ed two actual lines, neither of which shall total
pe in which the body of the advertisement is set)

umns wide equals 140 equivalent lines

\$ 69.30

ontaining rule or tabular work

lication (\$1.00 for each proof in excess of two)

2.00

\$ 71.30

d penalties of Chapter 155, Acts 1953,

going account is just and correct, that the amount
allowing all just credits, and that no part of the

19 92 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time, the dates of publication being as follows:

1/10/92 1/17/92

Subscribed and sworn to before me this 17th day of Jan, 1992

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

140 lines, 1 columns wide equals 140 equivalent lines
at .495 cents per line

\$ 69.30

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 71.30

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Jan 17, 19 92

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

(ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Cillenwater who, being duly sworn, says that he/she is Clerk of the newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time , the dates of publication being as follows:

1/10/92 1/17/92

Cindy Cillenwater

Subscribed and sworn to before me this 17th day of Jan, 1992.

Shelley R. Larue

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

INDIANAPOLIS (AP) — A bill to legalize casino-style gambling aboard large paddlewheel boats on the Ohio River could face rough going after passing its initial test. House Bill 1188, approved 14-8 by the Ways and Means Committee yesterday, now goes to the full House of Representatives. "Obviously, it's going to have some opposition on the House floor," said Rep. Larry Lutz, D-Evansville, the bill's sponsor. "But this is a major step to get the approval of the major committee in the House," he said. If the bill were to win House approval, its prospects would still be bright.

Gambling faces rough

Fort Wayne, Indiana, on the 27th day of December, 1991, at the hour of 1:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

X-07-91, passed by the Common Council on the 26th day of December, 1991, and that said Ordinance was duly signed and approved by the Mayor on the 3rd day of January, 1992, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 3rd day of January, 1992.

SANDRA E. KENNEDY, CITY CLERK

1-10-17

FW COMMON COUNCIL
(Governmental Unit)

To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN Dr.

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

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TOTAL AMOUNT OF CLAIM

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Title: Clerk

PUBLISHER'S AFFIDAVIT

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SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of the South Half of Section 27, the Southeast Quarter of Section 28, the Northeast Quarter of Section 33 and the North Half of Section 34, all in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the East line of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, with the Southerly right-of-way line of East State Boulevard (Hicksville Road) this point on the existing City Limits line as established by Annexation Ordinance X-36-71 and as filed in the Office of the City Clerk of Fort Wayne, Indiana; thence north along said East line of said Northwest Quarter to the northerly right-of-way line of East State Boulevard, thence Southwesterly along the Northerly right-of-way line of East State Boulevard, said line also being the current City Limits as established by Annexation X-39-71, to its intersection with the West right-of-way line of Maplecrest Road; thence Northerly along said West right-of-way line to its intersection with the South right-of-way line of Trier Road; thence Easterly along the South right-of-way line of Trier Road to its intersection with the West right-of-way line of Lahmeyer Road; thence Southerly along the West right-of-way line of Lahmeyer Road to its intersection with the South right-of-way line of East State Boulevard; thence Westerly along the South right-of-way line of East State Boulevard to the point of

State of Indiana)

beginning, containing 303 acres more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. The assignment is subject to redistricting pursuant to I.C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I.C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1992. In the event of litigation challenging the ordinance, the territory

shall become part of the City on the earlier of either December 31, 1992, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

SECTION 6. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 25 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the first taxable year after December 31, 1992, and shall expire if the area is not part of the City on January 1, 1993.

Read the third time in full and on motion by Long, seconded by Henry, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Edmonds, GiaQuinta, Henry, Long, Redd, Schmidt, Talarico
NAYS: None
ABSENT: None

DATED: 12-26-91
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-91 on the 26th day of December, 1991.
ATTEST:

Sandra E. Kennedy
City Clerk

Presented to me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1991, at the hour of 1:30 o'clock P.M., E.S.T.

Approved and signed by me this 3rd day of January, 1992, at the hour of 11:40 o'clock A.M., E.S.T.

Paul Heimke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No.

X-07-91, passed by the Common Council of the City of Fort Wayne, Indiana, on the 26th day of December, 1991, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of December, 1991, and now remains on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 3rd day of January, 1992.

SANDRA E. KENNEDY, C

1-10-17

sworn, says that ne

newspaper of general

the (city) (town) of

the printed matter

d in said paper for

follows:

FW COMMON COUNCIL
(Governmental Unit)

To:

The News-Sentinel

Dr.

ALLEN

County, Indiana

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

140 lines, 1 columns wide equals 140 equivalent lines
at .495 cents per line

\$ 69.30

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 71.30

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Jan 17, 19 92

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time, the dates of publication being as follows:

1/10/92 1/17/92

Subscribed and sworn to before me this 17th day of Jan, 1992.

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

become part of the City on the earlier of either
November 31, 1992, or the first 28th day of February
1993, any final judicial decisions resolving any legal
dispute to the ordinance in favor of the City.
NOTION 6, in the event no sufficient remonstrance
to individuals owning property in the annexation
shall be entitled to a 25 percent abatement of a
portion of their property tax liability under I.C. 6-1-1 for
tax purposes as provided for by I.C. 36-4-3-8.5.
maximum abatement program shall be in effect for the
first year after December 31, 1992, and shall
discontinue if the area is not part of the City on January 1,
1993.
THI
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ordained by Henry, and duly adopted, placed on its
to the PASSED by the following vote:
PS: Nine
Quibury, Burns, Edmonds, GiaQuinta, Henry,
Secredd, Schmidt, Talarico
TOWS: None
INDENT: None
Nor
Ratified: 12-26-91
Eased and adopted by the Common Council of the
the Fort Wayne, Indiana, as Annexation Ordinance
Annex 7-91 on the 26th day of December, 1991.
OFFICE:
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X-35, Indiana, on the 27th day of December, 1991,
line hour of 1:30 o'clock P.M., E.S.T.
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David C. Long
COUNCILMEMBER
Sandra E. Kennedy
City Clerk
Samuel J. Talarico
Presiding Officer
Paul Helmke
Mayor
X-35, Indiana, on the 27th day of December, 1991,
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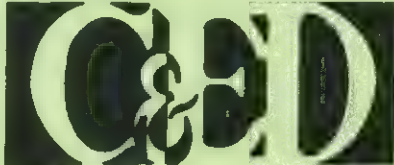
FISCAL PLAN

CITY OF FORT WAYNE
PAUL HELMKE, MAYOR

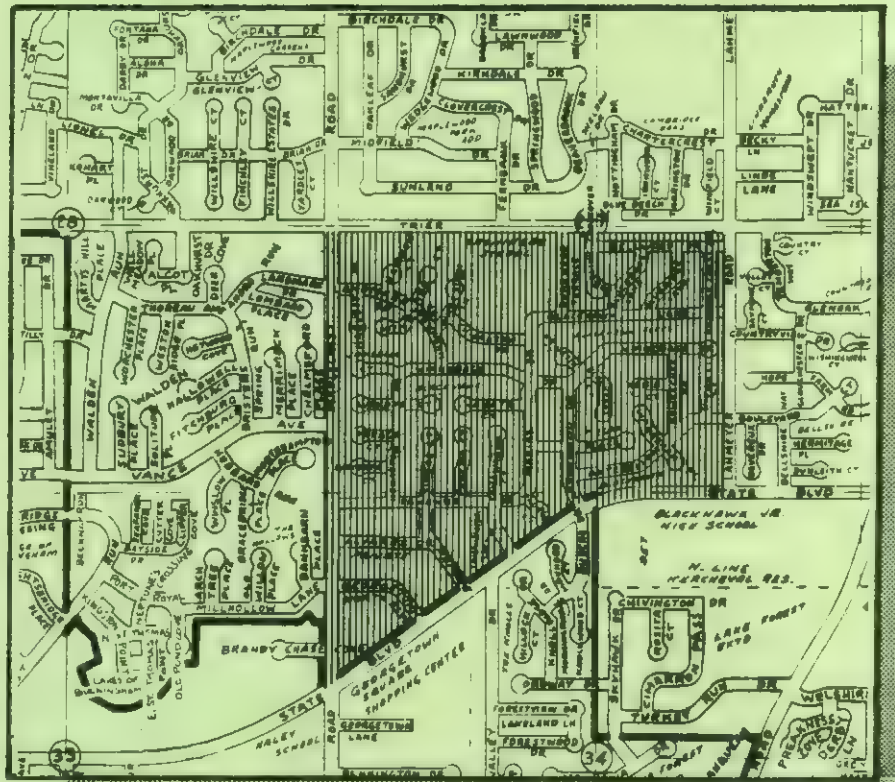
November 1991

Blackhawk
Annexation

COMMUNITY & ECONOMIC



DEVELOPMENT



ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

Greg Purcell, Director
Community and Economic Development

Michael Sapp
Director of Planning

Fort Wayne City Plan Commission

Melvin Smith, President
Yvonne Stam, Vice President
Robert Hutner, Secretary
Cletus Edmonds
Mark Gensic
Charles Layton
John Shoaff
Stephen Smith
Wil Smith

RESEARCH AND PREPARATION

Gary Stair, Senior Planner
Pamela Holocher, Planner II

Executive Summary

Over the past 20 years, the City of Fort Wayne has been pursuing a vigorous policy of annexing land adjacent to its corporate limits. This proposal is a logical continuation of this policy.

This fiscal plan outlines the applicable state legislation concerning the annexation of urban land and explains how the Blackhawk annexation area conforms to the state law requirements. The plan also provides basic data about the area, describes the services which will be furnished to the area upon annexation by the City of Fort Wayne, and summarizes the fiscal impact of this annexation upon the City.

The proposed annexation area is approximately 303 acres, and is primarily residential.

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SECTION ONE

BASIC DATA

A. LOCATION

The area proposed for annexation is located east of the City of Fort Wayne in St. Joseph Township and is bounded on the north by Trier Road, on the east by Lahmeyer Road, on the south by State Boulevard, and on the west by Maplecrest Road. (See Figure 1).

B. SIZE

The Blackhawk Area contains approximately 303 acres.

C. POPULATION

Block statistics from the U.S. Census of Population and Housing showed that 2,290 persons resided in the Blackhawk annexation area in 1990.

D. BUILDINGS

Single Family Residential	617 structures in good condition
Multi Family	24 buildings in good condition
Commercial	14 structures in good condition
Institutional	3 structures in good condition

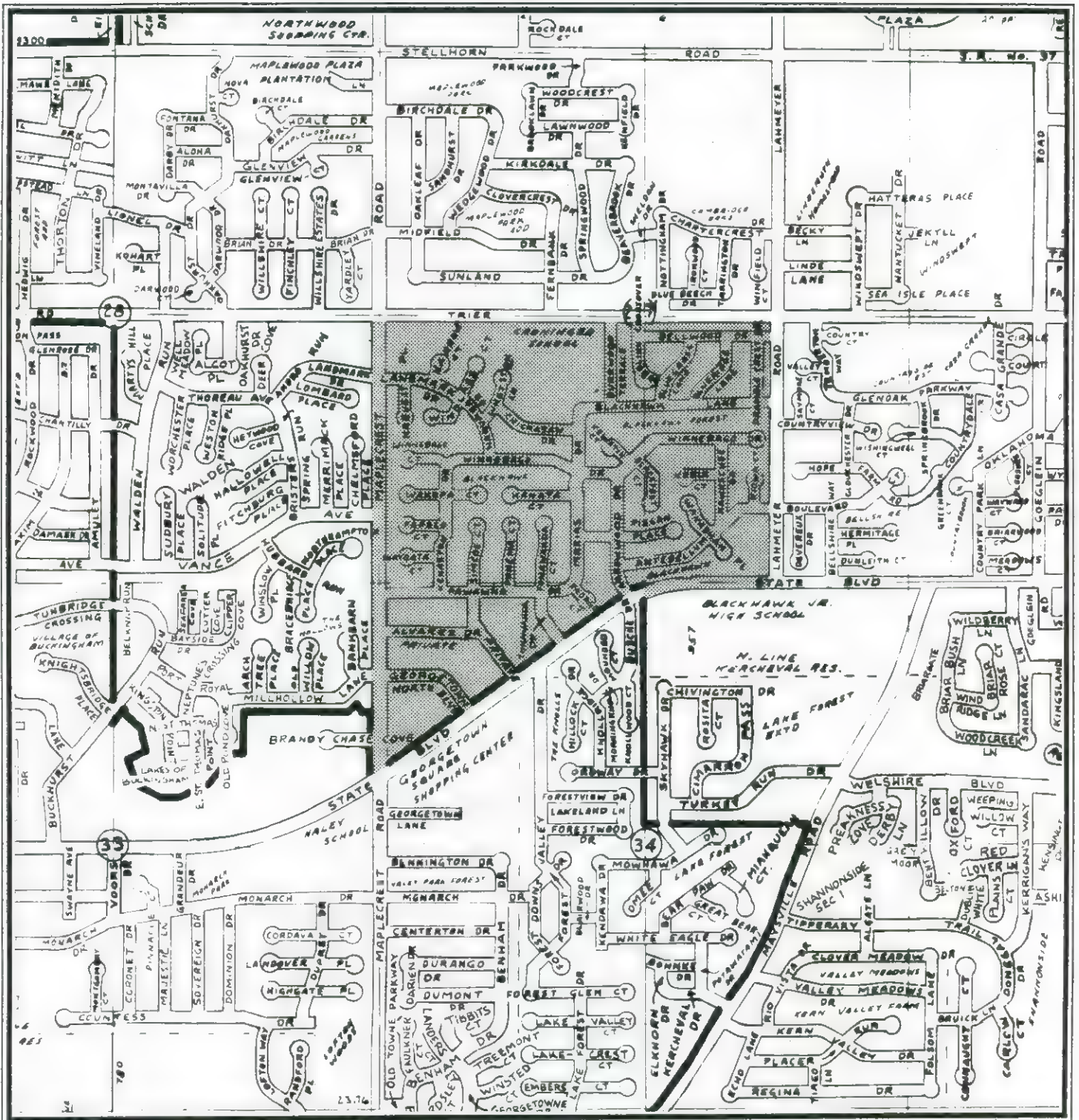
<u>PATTERNS OF LAND USE</u>	<u>Acres</u>	<u>Percent</u>
Residential	196	64.7
Right-of-Way	55	18.2
Institutional	23	7.6
Commercial	17	5.6
Recreational	11	3.6
Vacant	<u>1</u>	<u>.3</u>
TOTAL	303	100.0%

F. ZONING

The Blackhawk Annexation Area contains numerous zoning classifications (See Figure 2). Upon annexation, this area will be under the jurisdiction of the City of Fort Wayne Plan Commission, and the zoning classifications will be as noted on page 4.

Figure 1

BLACKHAWK ANNEXATION



Location

BLACKHAWK ANNEXATION



- 3

County Zoning ClassificationCity Zoning Classification

RS-1	Suburban Residential	R-1	Single Family Residential
RS-3	Multi Family Residential	R-3	Multiple Family Residence
C-1	Limited Commercial	B1B	Limited Business Dis B
C-1A	Professional Services	B1A	Limited Business Dis A
C-2B	Community Shopping Center	B2B	Community Shopping Center

G. TOPOGRAPHY

The Blackhawk annexation area contains three basic soil classifications: Morley Silty Loam and Clay (MrB2), Blout Silty Loam and Clay (BmA), and Pewamo Silty Loam and Clay (Pe). It has been determined using U.S. Geological Survey Maps that the area has a low relief and that the general slope of the area is approximately 2 to 6 percent.

H. ASSESSMENT

\$16,215,280

I. NET TAX RATE (1990 PAYABLE 1991 RATES)

Existing:	4.897120	
After Annexation:	7.471321	
Increase:	2.574201	(53 percent increase)

J. COUNCIL DISTRICT

The Blackhawk Annexation Area will be initially assigned to City Council District 2, subject to any later statutorily-required reapportionment.

K. CONTIGUITY

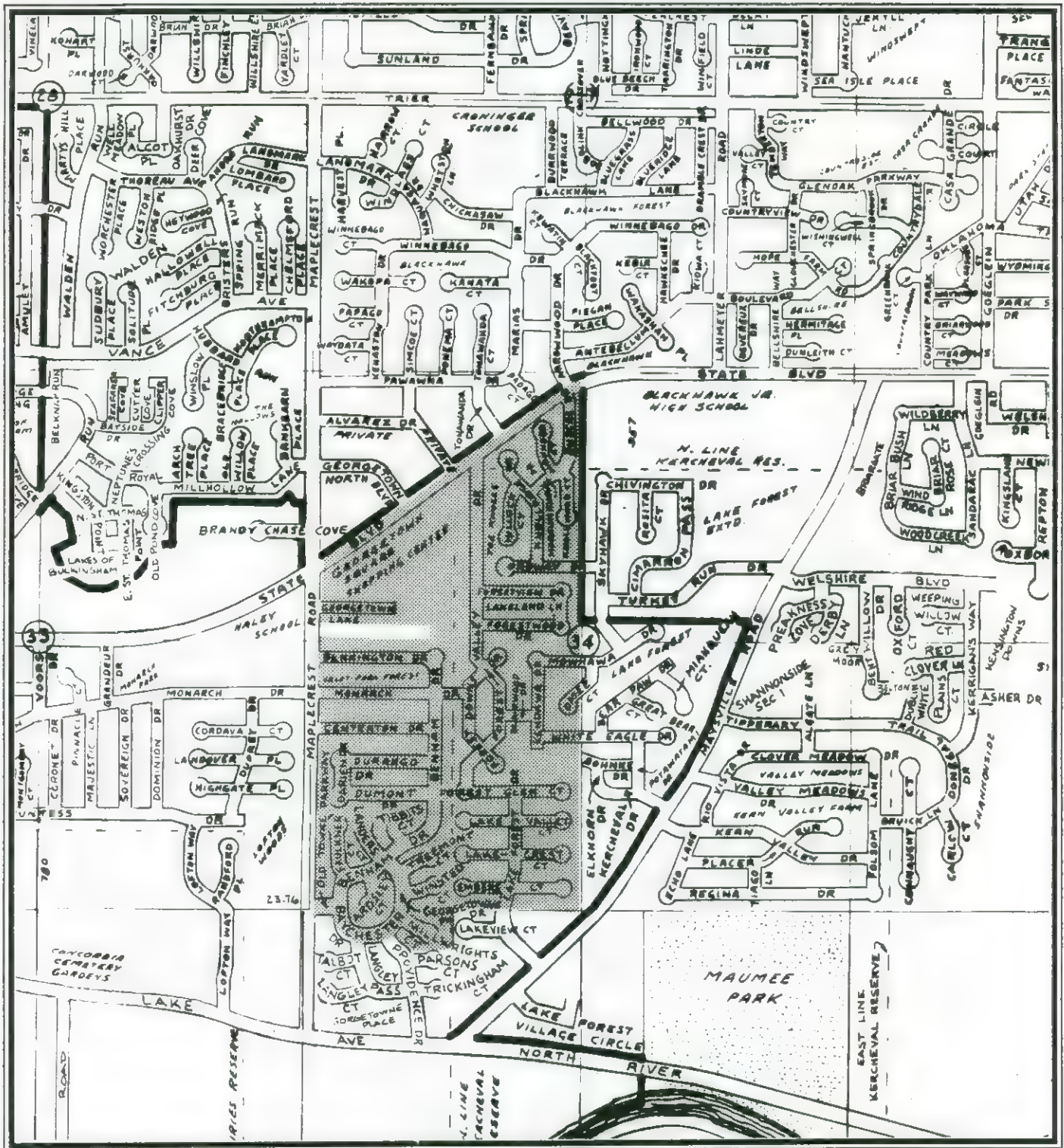
The Blackhawk Annexation Area is 26.8 percent contiguous to the City of Fort Wayne.

L. SELECTED AREA(S) WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE AND POPULATION DENSITY

As the City has uniform service standards throughout its corporate boundaries, all areas of similar topography, pattern of land use and population density receive the same level of service. A representative area within the City comparable in topography, pattern of land use and population density to the Blackhawk Annexation area is the Georgetown/Lake Forest Area (See Figure 3).

Figure 3

GEORGETOWN / LAKE FOREST AREA



Comparable Area

	<u>Blackhawk Area</u>	<u>Georgetown/ Lake Forest Area</u>
Topography:	Low Relief	Low Relief
Patterns of Land Use:	Residential With Some Commercial	Residential With Some Commercial
Population Density:	7.5 persons per acre	7.5 persons per acre

No area within the City with similar topography, patterns of land use and population density as the Blackhawk Annexation is receiving services higher in standard or scope than the services promised this area.

SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the Blackhawk area is part of a larger, comprehensive annexation program that was developed in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City limits should become part of the City "as should" all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth." Because the Blackhawk area met this criteria in 1975-76, the report identified it as part of a larger area (SJ-2) which was recommended for annexation.

Since 1976, six areas targeted for annexation within the (SJ-2) area in the Annexation Policy and Program Study have been annexed. These areas are the St. Joe Cemetery Annexation, the HWI Annexation, the Tamarack Annexation, the Trans Am Annexation, the East State Annexation and Phase I of the Northeast Annexation.

SECTION THREE

STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, a municipality must ensure that the proposed annexation is in accordance with State law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. The municipality must meet the guidelines of only one of the options. The two options are:

1. The boundaries of the area must be at least one-eighth contiguous (12.5%) to the municipality and meet at least one of the following three conditions:
 - a. have a population density of at least three persons per acre;
 - b. be zoned for commercial, business or industrial uses;
 - c. be at least sixty (60%) percent subdivided; or
2. The boundaries of the area must be at least one-fourth contiguous (25%) to the municipality and the municipality must show that the area is needed and can be used by the municipality for its development in the reasonably near future.

In both instances, the municipality must also prepare a written fiscal plan. The fiscal plan must provide cost estimates of the services to be furnished to the annexed territory, along with the methods used to finance such services.

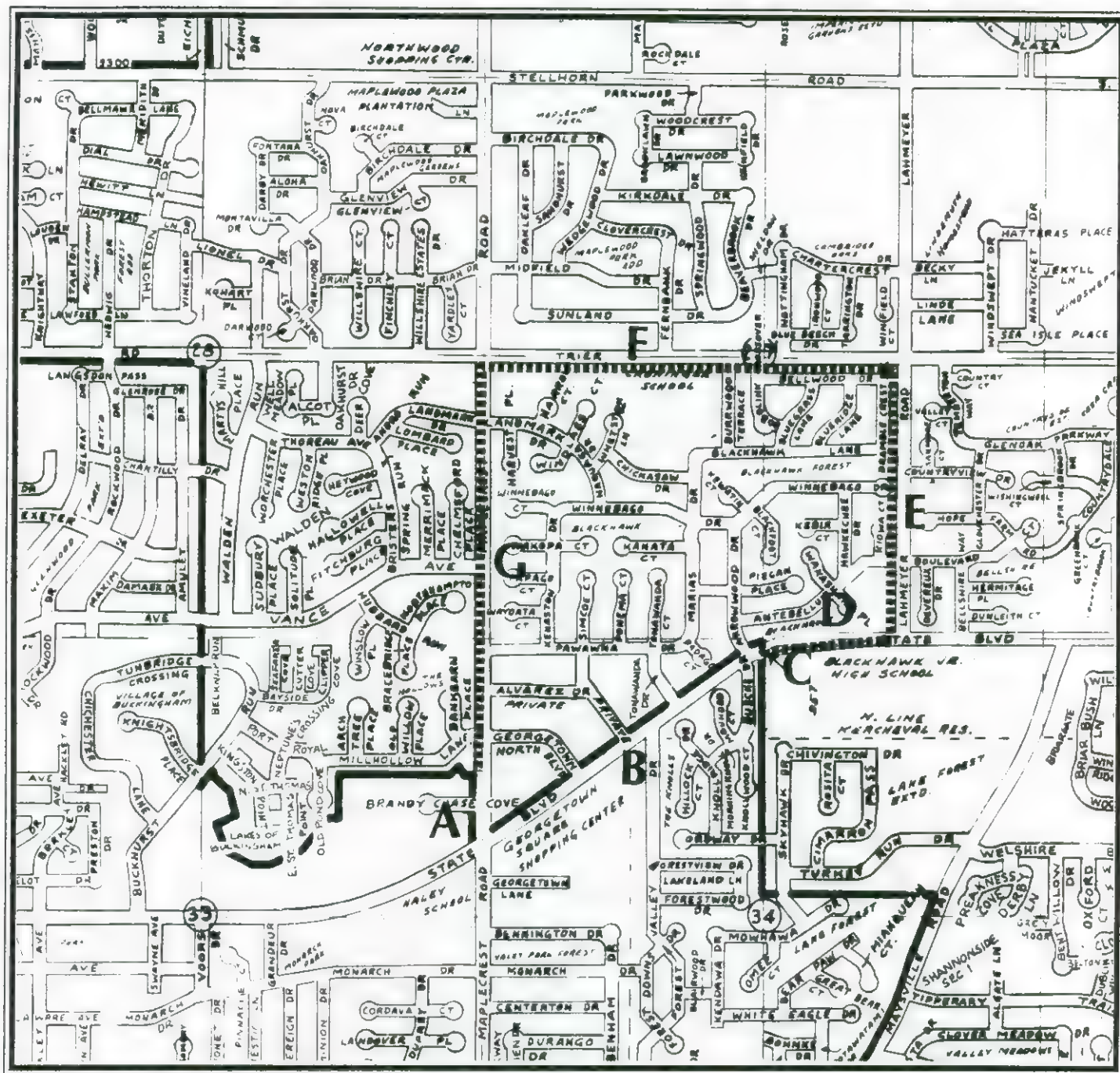
The Blackhawk Annexation meets both options which have been established to determine the validity of annexations. The remainder of this section will be devoted to explaining how this annexation meets the first annexation test in accordance with State Statute.

B. ONE-EIGHTH CONTIGUOUS

Figure 4 illustrates the length of the external boundaries of the annexation area. As can be seen, approximately 27 (%) percent of the annexation area's boundaries are contiguous to the City of Fort Wayne. Therefore, this annexation easily meets the 12.5% contiguity requirement mandated by State Statute.

As mentioned in the introduction, if the annexation is at least one-eighth contiguous to the municipality, it can be annexed if any one of the three conditions are met. The proposed annexation area meets two of the three options in that the area is over 60 percent subdivided it has a population density of at least three persons per acre.

BLACKHAWK ANNEXATION



Contiguity

CONTIGUOUS

A	900'
B	3300'
C	70'

4270' (26.8%)

NON-CONTIGUOUS

D	1315'
E	2670'
F	4050'
G	3640'

11675' (73.2%)

D. CONCLUSION

The Blackhawk area should be annexed into the City of Fort Wayne because it meets both of the annexation tests that have been established by the State Legislature. The annexation area is over one-eighth contiguous to the City, and has a population density of at least three persons per acre and is over 60 percent subdivided. In addition, the area meets yet another test for annexation in that it is more than (25%) percent contiguous and is needed and can be used by the City for its growth in the reasonably near future.

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the Blackhawk Annexation Area. The plan also describes how and when the City plans to extend services of a non-capital and capital improvement nature. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner.

As required by state law, the annexation area will receive planned services of a non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

All services both of a non-capital nature and of a capital improvement nature described in subsequent subsections of the Municipal Services Section will be provided to the Blackhawk Annexation in a manner equivalent in standard and scope to those capital and non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use and population density, including but not limited to the Georgetown/Lake Forest area.

A. POLICE

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work such as participation in court proceedings and protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order. District 3 will be expanded to cover the Blackhawk Annexation area.

The Police Department keeps a record of the percentage of personnel and equipment necessary for the City's annexation program and has determined that additional personnel are not required for this particular annexation. Police District 3 statistics were used to project service needs and costs because this district is adjacent to the Blackhawk Annexation area, and has similar demographic characteristics, as well as having comparable types of calls for

police service.

The cost to provide protection to this proposed annexation will be \$2,300 a year. The cost is based upon an officer's average hourly rate of \$12.17 multiplied by an estimated 45 minutes spent per call. This total is then multiplied by the estimated number of calls (252 per year) for service to this area. This total cost, which equals \$2,300, is the direct personnel cost. A small non-personnel cost of five percent, or \$115, is then added to the above total. Adding direct personnel and non-personnel costs together, the total costs to provide police protection to the area amounts to \$2,415 a year. Funding for police services in the annexation area will come from the Civil City Budget of the Police Department which is derived primarily from local property taxes through the General Fund.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 2,415

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing services to the Blackhawk Annexation Area immediately upon annexation. The services provided include, but are not limited to, full fire suppression activities, fire prevention, EMS Support-first responder, emergency hazardous materials response, public education and fire investigations.

The annexation of the Blackhawk area will not require a new fire station nor will it require additional personnel or equipment. For the year 1990, the cost per run was approximately \$870, which represents the cost per run for the operation of the total department. The estimated number of runs into this area is 20 per year, which would cost the City approximately \$17,400 annually. The only other additional expenses are expected to be operating costs, including gasoline, postage, and photography. The operating costs are considered to be negligible since the annexation represents only a small fraction of the total area serviced by the City. Funding for this increment in operating costs will come from the Fire Department's budget.

Primary fire call response will come from Station #14 located at 3400 Reed Road with a current response time of 4-6 minutes. If needed, backup response will come from Station #10 at 1245 E. State Boulevard.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$17,400

C. EMERGENCY MEDICAL SERVICE

Presently, the Three Rivers Ambulance Authority is the only provider of ambulance service to City residents. Blackhawk Annexation area property owners will receive full advanced life support ambulance service immediately upon annexation.

A number of ambulances are stationed throughout the City 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched. In addition, for some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station 14. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician on duty at all times.

The method of financing Emergency Medical Services is based on user fees. The charges for ambulance service are shown below:

1. \$120 plus \$3 per loaded mile for non-emergency transfer scheduled 24 hours in advance.
2. \$170 plus \$3 per loaded mile for non-scheduled non-emergency transfers.
3. \$380 for all emergencies for City and non-City residents.

This method of financing permits service to be extended to the annexation area with its existing budget, while no additional manpower or equipment will be needed to service the annexation area.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

D. SOLID WASTE DISPOSAL

Upon annexation, Fort Wayne will provide residential garbage collection to the Blackhawk Annexation Area. The City currently contracts with Waste Management of Fort Wayne to supply this service.

According to the contract agreement, the City is charged \$42.85 per ton for this service. This cost amounts to approximately \$55.10 per household, per year, for this service. Consequently, annexation of the 617 residences in the Blackhawk Annexation Area will cost \$33,997, per year. In addition, garbage collection to Blackhawk Apartments will cost the City \$3,900 annually, making the total cost for solid waste disposal in the Blackhawk annexation area \$37,897 a year. Solid waste collection will be financed by the City's Garbage Disposal Fund which comes from the General Fund.

OPERATING COST : \$ 0
ESTIMATED ANNUAL COST: \$ 37,897

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area immediately after the effective date of annexation. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. Finally, the department provides installation and maintenance of traffic control devices such as stop lights, and control signs.

The Traffic Engineering Department will not require any additional employees to serve the Blackhawk annexation area as a new sign crew will be hired to serve Phases I and II of the Northeast Annexation area. This crew will have the excess capacity to serve the Blackhawk area, in addition to the Northeast Annexation area.

Capital and labor costs will be \$468 for the installation of six new street signs in the area. Figure 7 below details these costs.

FIGURE 7

<u>Type</u>	<u>Size</u>	<u>Number Required</u>	<u>Cost</u>	<u>Total Cost</u>
Street Name	30" x 6"	5	\$52.40	\$262.00
Speed Limit	24" x 30"	1	\$24.70	24.70
<u>Posts</u>	12' 2lb.	6	\$11.80	70.80
<u>Labor</u>			\$110.70	<u>110.70</u>
TOTAL COSTS				\$468.20

There will also be an annual cost of \$704 for the painting of 10,500 feet of center line and edge line along streets within the annexation area. Funding sources for these services will be from real estate taxes and Motor Vehicle Highway (MVH) funds.

CAPITAL COST: \$ 468
ESTIMATED ANNUAL COST: \$ 704

F. STREETS AND ROADS

The incorporation of the annexation area will add 6.55 miles of streets to the City street system. Of the total, .86 miles of streets are arterial roads in good condition and 5.69 miles of

streets are residential streets in good to poor condition. The Fort Wayne Street Department will be responsible for the general maintenance of all streets in the annexation area immediately upon annexation. General maintenance includes snow and ice removal as well as berm work. Leaf removal, street sweeping and grass mowing are all under the auspices of the Street Department. The Street Engineering Department will provide engineering services and construction supervision for all streets, alleys and sidewalks that will be constructed within the annexation area. The provision of these services to the annexation area will require one (1) additional person. The additional street maintenance employee will cost \$21,000 annually. A new truck and employee will be added to the Street Department to serve the Northeast area and this new truck and person along with the newly hired employee will provide street maintenance services to the area. The cost of general street maintenance is roughly estimated to be \$5,912 per mile of street per year, so the annexation will cost the City an additional \$38,724 for street maintenance per year. The funding source for street maintenance is the Street Department budget which is made up of funds from the Motor Vehicle Highway (MVH) Program. The Street Engineering Department funds come from the MVH, and Local Arterial Roads and Streets (LRS) Programs.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 59,724

G. PARKS AND RECREATION

Residents of the proposed annexation area will have access to city park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc. No new park facilities will need to be developed for the Blackhawk Annexation area because of recreational amenities in the northeast area. Residents will be in close proximity to recreational facilities at Croninger and Blackhawk Schools, as well as, Shoaff Park, a 169 acre community park.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

H. WATER

Water service is already provided to this proposed annexation area. The City will provide engineering services as needed to this area upon annexation.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility \$221.26 annually for each fire hydrant located within the City. Since, there are 72 hydrants in this annexation area there will be an annual cost of \$15,931 associated with the provision of fire hydrants.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 15,931

J. SANITARY SEWERS

The City of Fort Wayne Department of Water Pollution Control (WPC) presently provides sanitary sewers to this annexation area. The City will provide engineering services as needed to this area upon annexation.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

K. STORM SEWERS

Upon annexation, the Fort Wayne Department of Water Pollution Control will consider storm sewer installation upon petition by the concerned property owners. The City will provide engineering services for such a project. Certain storm drainage improvements may be funded from the City's Storm Water Management Program. Emergency and routine maintenance of public drainage systems will be the responsibility of the City's Sewer Maintenance Department after annexation.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

L. STREET LIGHTING

It is the goal of the City of Fort Wayne Street Lighting Department to light every unlit intersection within the City limits, to reduce night accidents, facilitate traffic flow, aid in police protection and inspire community spirit and growth. Currently there are six street lights in the annexation area that are being rented from Indiana Michigan Power Company. These lights will have to be purchased or replaced by the City of Fort Wayne at a cost of \$6,000. In addition, there are six lights in the annexation area which were installed by the developer, which will be taken over by the City. The City will have to maintain and pay the energy costs on these twelve lights after the effective date of annexation. These operating costs will amount to \$998 in the first year. Operating costs will decrease in the next several years because after new lamps are installed the lights will need very little maintenance.

The Blackhawk Annexation area would require thirteen standard lights with overhead wiring and twenty-nine lights with underground wiring to comply with the restrictive covenants of the area. These lights would cost the City approximately \$86,978.

If the property owners desire midblock or ornamental lighting then the petition process must be used. Priority will be assigned to each petition based upon need, filing date and available funding. The property owners would then be assessed for the cost of such installation. Service could be provided in the first construction season after annexation if the funds are available.

CAPITAL COST:	\$ 6,000 (the first year)
	\$ 71,000 (the third year)
ESTIMATED ANNUAL COST:	\$ 998 (the first year)
	\$ 156 (the second year)
	\$ 702 (the third year)

M. ANIMAL CONTROL

The Fort Wayne Department of Animal Control will provide various services to the Blackhawk Annexation area, immediately upon the effective date of annexation. The services this department provide, include, but are not limited to, the sheltering of stray animals, emergency response to animal complaints, 24-hour service (seven days a week including holidays), canvassing for unconfined strays, trap rental, pet adoption, and a humane education program for city school students.

The Blackhawk Annexation area is located within the north district of the Fort Wayne Animal Control Department. The total cost to provide Animal Control services to the Blackhawk Annexation area will be \$3,080 annually. This cost is based on the projected number of animal complaint runs made to the area, as well as, the projected number of stray animals that will need to be sheltered from the area. It is estimated that 280 animal complaints runs will be made to the area annually, at a cost of \$5.25 a run, giving a annual cost of \$1,470. It is anticipated that 107 stray animals from the area will need to be held for a minimum of three days at a cost of \$15.00 per animal, giving a total cost of \$1,605.

CAPITAL COST:	\$ 0
ESTIMATED ANNUAL COST:	\$ 3,075

N. ADMINISTRATIVE SERVICES

All administrative functions of the City of Fort Wayne will be available to the Blackhawk Annexation area within one year of the annexation date. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office,

&2the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc.

The costs of these services cannot be directly related to the size and population of an area. Consequently, this plan does not include cost estimates. However, the budgets of these departments are prepared with the expectation that the City will annex several areas during the budgetary period. Therefore, expansion of the administrative functions is possible. Funding comes from a variety of sources, including the General Fund, the State, and the federal government.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

SECTION FIVE

PLAN FOR HIRING GOVERNMENTAL EMPLOYEES DISPLACED BY ANNEXATION

It is not anticipated that, due to the annexation of the Blackhawk area, any governmental employees will be eliminated from other governmental agencies. However, if any government employee is displaced as a result of this annexation and makes application with the City of Fort Wayne for employment within thirty days after displacement, such employee will be treated as if the employee were a City employee on "lay-off" status for purposes of hiring for any vacant position similar to the government position from which the individual was displaced.

SECTION SIX

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures of the proposed Blackhawk annexation. This section also provides a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Blackhawk annexation area. Property taxes are computed from the gross amount of assessed valuation in the area and can be obtained from the Office of the St. Joseph Township Assessor. The formula for computing tax revenue is shown in the following table.

TABLE 1

Tax Revenue Formula

$$\frac{V-E}{100} (T) = TR$$

WHERE:	V	=	Assessed Valuation
	E	=	Home Mortgage Exemption
	T	=	City Tax Rate
	TR	=	Tax Return

The total assessed valuation of the proposed Blackhawk Annexation is \$16,215,280. The home mortgage exemption is deducted from this total. There are 617 dwelling units within this annexation area and it is assumed that each one is eligible for the \$1,000 exemption mentioned above. The total taxable assessed valuation of the annexation area becomes \$15,598,280 after the calculation is made. Property tax revenue for 1991 can then be determined by applying the Fort Wayne/St. Joseph Township Municipal tax rate (3.2533) to this figure giving a total property tax revenue of \$507,459. Using a three percent rate of inflation the property tax revenue for 1994, the first year that taxes would be due to the City after the annexation would be \$554,514. If we apply the 25 percent abatement (as proposed by the City for taxes due in 1994) to this figure, the net revenue becomes \$415,886. A portion of this revenue would be supplied from the State Property Tax Relief Fund.

This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets Fund (LARS). These funds are allocated based on street miles. In 1989, the City received \$5,070 per street mile in MVH Funds and \$2,432 per street mile from LARS Funds. This annexation will add 6.55 miles to the City's street system.

Therefore, the City will receive an additional \$33,209 from MVH Funds and an additional \$15,930 from the LARS Funds. These funds will be received yearly beginning one-year after the effective date of annexation.

The following table shows the area's Taxing District Rate.

TABLE 2
TAXING DISTRICT RATE

Corporation General	\$1.4877
Corporation Debt Service	.3286
Firemen Pension	.1400
Policemen Pension	.2247
Sanitary Officers Pension	.0141
Fire	.6960
Park General	.3532
Redevelopment General	.0090
	<hr/> \$3.2533

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax and the Alcoholic Beverage Tax. These grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Blackhawk Annexation cannot be calculated. Still, most of these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 3. Capital costs are one time expenditures, while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, all capital improvement projects must follow routine city procedures which often require petitioning.

On the following page Table 3 details the costs that will be incurred by each department upon the annexation of the Blackhawk area. These costs do not reflect the inflation factor used to calculate the 5-year revenue summary shown in Table 4.

TABLE 3
EXPENDITURES

<u>DEPARTMENTS</u>	<u>CAPITAL COSTS</u>	<u>OPERATING COSTS</u>
Police Department	\$ 0	\$ 2,415
Fire Department	0	17,400
EMS	0	0
Solid Waste Disposal	0	37,897
Traffic Control	468	704
Streets	0	59,724
Parks	0	0
Water	0	0
Fire Hydrants	0	15,931
Sanitary Sewers	0	0
Storm Sewer	0	0
Street Lighting (first year)	6,000	998
(third year)	71,000	702
Animal Control	0	3,075
Administrative Functions	0	0
TOTALS	\$ 77,468	\$ 117,846

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Blackhawk Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The summary includes a seven (7%) percent inflation factor for municipal expenditures, and a three (3%) percent increase factor for City property tax revenues. These inflation factors have been derived through calculating the average expenditures and revenues over the past several years, and are from the City of Fort Wayne Controller.

Property tax revenue from the annexation area will not be collected until 1994. Assuming the area is annexed in December of 1992, assessment will not occur until March of 1993, with revenues being collected in 1994. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of \$165,566 in 1993. On the following page, Table 4 details the revenues minus the expenses for the Blackhawk area over the next 5 year period.

TABLE 4
REVENUES MINUS EXPENSES

YEAR	EXPENDITURES	PROPERTY TAX REVENUE	MVH & LARS	BALANCE
1993	\$ 165,566			\$ -165,566
1994	168,199	\$ 415,886	\$ 49,139	+296,826
1995	273,758	571,199	49,139	+346,580
1996	192,354	588,284	49,139	+445,069
1997	<u>205,820</u>	<u>605,933</u>	<u>49,139</u>	<u>+449,252</u>
Totals	\$1,005,697	\$2,181,302	\$ 196,556	<u>\$+1,372,161</u>

D. RECOMMENDATION

This Fiscal Plan, which meets the State Law requirements that a fiscal plan be prepared, shows that the Blackhawk Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1992.

TABLE 5
ST. JOSEPH TOWNSHIP TAX RATES
1990 PAYABLE 1991

		ST. JOSEPH TRANSIT	FORT WAYNE ST. JOSEPH
STATE	St. Fair Board	.0035	.0035
	St. Forestry	.0065	.0065
	Welfare HCI	.0508	.0508
	Welfare Administration	.0713	.0713
	TOTAL STATE	.1321	.1321
COUNTY	County General	.7529	.7529
	County Welfare	.1238	.1238
	County Health	.0654	.0654
	Cumulative Bridge	.0375	.0375
	County Bonds	.0910	.0910
	Reassessment	.0300	.0300
	Welfare Med. Assist Wards	.0059	.0059
	Cumulative Capital Dev.	.0700	.0700
	TOTAL COUNTY	1.1765	1.1765
TOWNSHIP	Township General	.0029	.0029
	Poor Relief	.0089	.0089
	Fire Protection	.0590	
	Township Recreation	.0006	
	TOTAL TOWNSHIP	.0714	.0100
SCHOOLS	School General	2.6181	2.6181
	Debt Service	.0288	.0288
	Art Institute	.0050	.0050
	School Transportation	.4186	.4186
	TOTAL SCHOOL	3.8920	3.8920
AIRPORT AUTHORITY	Capital Projects	.6215	.6215
	Racial Balance	.2000	.2000
	TOTAL AIRPORT	.0940	.0940
LIBRARY	Library General	.2944	.2944
	Library Debt	.0352	.0352
	TOTAL LIBRARY	.3296	.3296
PTC	PTC General	.1025	.1025
	PTC Debt	.0293	.0293
	TOTAL PTC	.1318	.1318

TABLE 5
ST. JOSEPH TOWNSHIP TAX RATES
1989 PAYABLE 1990

CITY AND SPECIAL TAXING DISTRICT			ST. JOSEPH TRANSIT	FORT WAYNE ST. JOSEPH
	Corporation General			1.4877
	Redevelopment General			.0090
	Corp. Debt Service			.3286
	Firemen Pension			.1400
	Policemen Pension			.2247
	Park General			.3532
	Sanitary Officers Pen.			.0141
	Fire			.6960
	TOTAL CITY & SPECIAL		0.00	3.2533
	DISTRICT			
	TOTAL TAX RATE		5.7493	9.7975
	NET TAX RATE		4.839019	7.47540

BLACKHAWK ANNEXATION LEGAL DESCRIPTION

Parts of the South Half of Section 27, the Southeast Quarter of Section 28, the Northeast Quarter of Section 33 and the North Half of Section 34, all in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the East line of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, with the Southerly right-of-way line of East State Boulevard (Hicksville Road) this point being on the existing City Limits line as established by Annexation Ordinance X-39-71 and as filed in the Office of the City Clerk of Fort Wayne, Indiana; thence north along said East line of said Northwest Quarter to the northerly right-of-way line of East State Boulevard, thence Southwesterly along the Northerly right-of-way line of East State Boulevard, said line also being the current City Limits as established by Annexation Ordinance X-39-71, to its intersection with the West right-of-way line Maplecrest Road; thence Northerly along said West right-of-way line, to its intersection with the South right-of-way line of Trier Road; thence Easterly along the South right-of-way line of Trier Road to its intersection with the West right-of-way line of Lahmeyer Road; thence Southerly along the West right-of-way line of Lahmeyer Road to its intersection with the South right-of-way line of East State Boulevard; thence Westerly along the South right-of-way line of East State Boulevard to the point of beginning, containing 303 acres more or less.

